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7      Christopher L. Driscoll, State Bar #167001  
8      Glen T. Jonas, State Bar #166038

9      Attorney for Plaintiff Mario Fennell

10      BY  
11      CLERK U.S. DISTRICT COURT  
12      CENTRAL DISTRICT OF CALIF.  
13      LOS ANGELES

14      2012 AUG 15 AM 11:54

15      FILED

16      **COPY**

17      **UNITED STATES DISTRICT COURT**  
18      **CENTRAL DISTRICT OF CALIFORNIA**

19      MARIO FENNELL, an individual,

20      plaintiff,

21      vs.

22      JOSEPH AMENT, an individual;  
23      DIEGO ANDRADE, an individual;  
24      COUNTY OF LOS ANGELES,  
25      a public entity; and DOES 1 TO 10.

26      defendants.

27      Case # 0V12-7023 - SJO  
28      COMPLAINT FOR:  
29      DEPRIVATION OF CIVIL  
30      RIGHTS  
31      (JEM)

32      42 USC §§ 1983, 1985(3), 1988

33      **DEMAND FOR JURY TRIAL**

34      //

35      //

## **JURISDICTION AND VENUE**

1. This is an action for money damages brought pursuant to 42 U.S.C §§ 1981, 1985(3) and 1988, and the First, Fourth, Fifth, Eighth, and Fourteenth Amendments of the United States Constitution, and under the common law of the State of California, against the County of Los Angeles, and Los Angeles County Sheriff employees: Deputy Joseph Ament, Deputy Diego Andrade, and DOE defendants. Jurisdiction is based upon 28 U.S.C. §§ 1331 (federal question) and 1333 (civil rights). Venue lies in the Central District of California, the judicial district in which the claim arose, pursuant to 28 U.S.C. § 1331(b).

2. As to plaintiff Mario Fennell, it is alleged that the individual sheriff's deputy defendants made an unreasonable seizure (false arrest and malicious prosecution) of the plaintiff, used excessive force, falsified evidence, and falsely testified, and falsely prosecuted, violating his rights under the First, Fourth, Fifth, Eighth, Fourteenth, and any other applicable Amendments of the United States Constitution. It is further alleged that these violations and others were committed as a result of policies and customs of the County of Los Angeles.

PARTIES

3. Plaintiff Mario Fennell was within the jurisdiction of the United States of America at all times herein alleged, and was an inhabitant of the United States of America.

4. Defendant County of Los Angeles is a government entity. Individual Defendants were employees of the County of Los Angeles.

5. Defendant Los Angeles County Sheriff's deputies were, at all times

relevant to this complaint, duly appointed and acting deputies of the County of Los Angeles acting under color of law, to wit, under color of the statutes, ordinances, regulations, policies, customs and usages of the State of California and/or the County of Los Angeles. Plaintiff was deprived of an interest protected by the Constitution and/or laws of the United States of America, and each and every defendant caused, by commission or omission, such deprivation while acting under color of law.

8        6. Each and every Defendant who is a natural person is sued in both  
9 his/her individual/personal capacity, as well as in his/her official capacity if he/she  
10 had any policy making duties, functions, or responsibilities with respect to the  
11 matters alleged herein.

12       7.     Each and every allegation set forth in each and every averment of this  
13 pleading hereby is incorporated by this reference in each and every other averment  
14 and allegation of this pleading.

15       8. All acts and/or omissions perpetrated by each Defendant, except any  
16 governmental entity Defendant, was engaged in maliciously, callously,  
17 oppressively, wantonly, recklessly, with deliberate indifference to the rights  
18 allegedly violated, despicably, and with evil motive and/or intent, in disregard of  
19 the rights of Plaintiff.

20       9. Plaintiff is informed and believes and thereupon alleges, that in  
21 perpetrating the foregoing acts, each individual Defendant was the agent or  
22 employee of each other Defendant, was acting within the course and scope of such  
23 agency or employment, and was acting under color of state law and municipal  
24 authority.

1           10. Each individual Defendant acted in a conspiracy pursuant to 42  
2 U.S.C. §1983 with each other individual Defendant to deprive Plaintiff of the  
3 rights enumerated herein.

4           11. Defendant County of Los Angeles and every Defendant in his/her  
5 official capacity knowingly or with deliberate indifference to the rights allegedly  
6 violated caused to come into being, maintained, fostered, condoned, approved of,  
7 either before the fact or after the fact, ratified, took no action to correct, an official  
8 policy, practice, procedure, or custom of permitting the occurrence of the  
9 categories of wrongs set forth in this pleading, and/or improperly, inadequately,  
10 with deliberate indifference to the constitutional or other federal rights of persons,  
11 grossly negligently, with reckless disregard to constitutional or other federal  
12 rights, failed to properly train, to supervise, to retrain, if necessary, to monitor, or  
13 to take corrective action with respect to the County of Los Angeles and with  
14 respect to the types of wrongful conduct alleged in this pleading, so that each one  
15 of them is legally responsible for all of the injuries and/or damages sustained by  
16 each Plaintiff. More specifically, The County of Los Angeles (and it's Sheriff's  
17 Department) has a policy of whitewashing, condoning and approving of cases of  
18 excessive force, false arrest, and malicious prosecution. The County of Los  
19 Angeles Sheriff's Department does not conduct meaningful inquires into the  
20 misconduct of it's deputies. Internal Affairs investigations are "kangaroo courts"  
21 wherein the contentions of deputies are always considered to be truthful, and  
22 misconduct is not otherwise properly investigated, evaluated or punished, to the  
23 extent that there is no meaningful review of deputies actions. The policy and  
24 culture of Los Angeles County Sheriff's Department is to accept and condone

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1 violations of citizens rights.

2       12. The true names of and capacities of DOES ONE through TEN are  
3 unknown to Plaintiff, and Plaintiff sues said Defendants, DOES ONE through  
4 TEN, by such fictitious names because their true identities have yet to be  
5 ascertained.

6       13. On October 3, 2010, Plaintiff Mario Fennell was driving a vehicle in  
7 the City of Lancaster, CA located in Los Angeles County. Deputies Joseph Ament  
8 and Diego Andrade engaged in racial profiling as to Plaintiff. Plaintiff Mario  
9 Fennel is a young, black male. Although plaintiff committed no crimes or  
10 infractions the defendants pulled plaintiff over. Defendants ordered plaintiff from  
11 his vehicle at gunpoint and handcuffed him. The deputies subsequently subjected  
12 plaintiff to a brutal beating which included deploying a taser against the unarmed  
13 and handcuffed plaintiff.

14       14. The deputies' formulated a completely fictitious story in order to  
15 cover their illegal, malicious and outrageous actions. The deputies did so in order  
16 to avoid criminal liability, internal discipline and civil liability. The deputies  
17 falsely claimed in their reports (and other testimony and statements) that plaintiff  
18 attacked the deputies.

19  
20       15. Plaintiff was falsely arrested for violations of Cal. Penal Code §§ 69  
21 and 243(c).

22  
23       16. Defendants prepared false police reports, and testified falsely against  
24 Mario Fennell. As a result of the deputies' false reports and false testimony Mario  
25  
26

1 Fennell was charged with multiple misdemeanors and felonies including two  
2 felony counts of Cal. Penal Code §§ 69, and two misdemeanor counts of Cal.  
3 Penal Code §§ 243(b).

4 17. The criminal charges were later dismissed favorably and on the merits  
5 within the meaning of a 42 U.S.C. §1983 claim.

6

7 **FIRST CLAIM FOR RELIEF AGAINST**  
8 **ALL DEFENDANTS**  
9 **(42 U.S.C. § 1983)**

10

11 18. Plaintiff repeats and realleges all of the allegations contained in  
12 paragraphs 1 through 17 above, as if fully set forth herein.

13 19. 42. U.S.C. SECTION 1983. Defendants, acting under color of state  
14 law, willfully, intentionally, knowingly, maliciously and concertedly deprived  
15 Plaintiff of rights and privileges and immunities secured by the Constitution and  
16 laws of the United States, including, but not limited to, the First, Fourth, Fifth,  
17 Eighth and Fourteenth Amendments, proximately causing the damages herein  
18 claimed, by inter alia:

19 (a) On or about October 2, 2012, in the City of Lancaster, subjected  
20 plaintiff to false arrest without probable cause and in an unreasonable  
21 manner;

22 (b) Defendants subjected Plaintiff to excessive and unreasonable force;

23 (c) Defendants failed to intervene and prevent the unlawful arrest,  
24 imprisonment, use of excessive force, and other Constitutional

1 violations against Plaintiff;

2 (d) Defendants maliciously prosecuted Plaintiff Mario Fennell for  
3 violations of California Penal Code §§ 69 and 243(b). Further, this  
4 deprivation of rights was in furtherance of violations of plaintiffs  
5 rights, including the right to be free from excessive force, equal  
6 protection based upon plaintiff's race, and plaintiff's First  
7 Amendment Rights.

8 (e) Defendants deprived plaintiff of Due Process within the meaning of  
9 Devereaux v. Abbey, 263 F.3d 1070, 1074-1075 (2001), by creating  
10 and presenting false evidence against plaintiff, including testimony.

11 (f) Defendants conspired with each other individual officer in the  
12 deprivation of the Constitutional rights herein described under 42,  
13 U.S.C. §1983. More specifically as shown through defendants false  
14 reports and testimony the defendants, in an effort to protect  
15 themselves from prosecution, discipline, termination and civil  
16 liability entered into an agreement to make the false claims against  
17 plaintiff.

18 20. As a proximate result of Defendants' actions, Plaintiff suffered  
19 damages in terms of lost wages, and other compensation; suffered physical and  
20 emotional injuries, all of which is continuing; incurred damage to his reputation;  
21 incurred costs and will incur future costs. Plaintiffs' actual damages will be  
22 ascertained at trial.

23 21. The conduct of Defendants was despicable, oppressive, malicious,  
24 and expressly intended to injure or damage Plaintiff or was done with conscious  
25  
26

1 disregard of his rights, thereby justifying an award of exemplary damages against  
2 Defendants in a sum appropriate to punish and make an example of Defendants.  
3 Punitive damages are requested as to individual (non-entity) Defendants only.

4 22. Plaintiff is entitled to attorney's fees pursuant to 42 U.S.C. § 1988.

5 23. To the extent that the personal resources of the individual Defendants  
6 herein are deficient in the amounts necessary to furnish a suitable remedy to  
7 Plaintiff, Defendant County of Los Angeles is liable for such deficiency pursuant  
8 to California Code § 815.2(a).

9

10 **SECOND CLAIM FOR RELIEF AGAINST**

11 **ALL DEFNEDANTS**

12 **(42 U.S.C. §1985(3))**

13

14 24. Plaintiff repeats and realleges all of the allegations contained in  
15 paragraphs 1 through 23 above as if fully set forth herein.

16 25. 42 U.S.C. SECTION 1985 (3). Defendants conspired for the purpose  
17 of:

18 (a) Depriving Plaintiff of equal protection of the law (based upon race);  
19 (b) Depriving Plaintiff due process of law; and  
20 (c) Hindering the constituted authorities from giving or securing equal  
21 protection and due process of law to all persons, all to Plaintiff's damage as herein  
22 above alleged;

23 26. Plaintiff is African American.

24 27. Defendants engaged in racial profiling in effecting an illegal stop of

1 defendant based upon race and otherwise taking the actions described herein, in  
2 the Complaint, including falsely arresting and prosecuting plaintiff.

3       27. Defendants actions in violating Plaintiff's Constitutional rights, as  
4 described herein, were performed in unison and with agreement, both inferred and  
5 overt, from the initial decision to illegally harass and arrest plaintiff on a false  
6 pretext though the beating and eventual prosecution and dismissal of the charges.

7       28. The illegal actions of defendants were taken due to plaintiffs' status  
8 as an African American and due to defendants' racial animus.

9        29. As a proximate result of Defendants' actions, Plaintiff suffered  
10 damages in terms of lost wages, and other compensation; suffered physical and  
11 emotional injuries, including nervousness, humiliation, and depression, all of  
12 which is continuing; incurred damage to their reputation; incurred costs and will  
13 incur future costs. Plaintiff's actual damages will be ascertained at trial.

14 . 30. The conduct of Defendants was despicable, oppressive, malicious,  
15 and expressly intended to injure or damage Plaintiff or was done with conscious  
16 disregard of his rights, thereby justifying an award of exemplary damages against  
17 Defendants in a sum appropriate to punish and make an example of Defendants.  
18 Punitive Damages are requested as to individual (non-entity) Defendants only.

PRAYER

WHEREFORE, Plaintiff seeks judgment in the amount of \$10 Million as follows:

1. Compensatory general and special damages in an amount in accordance with proof, against defendants jointly and severally;

1           2. Exemplary damages against each of the individual, non-entity,  
2 defendants in an amount sufficient to make an example of those defendants and to  
3 deter them and all others who would behave as defendants have herein;  
4           3. Reasonable attorneys' fees and expenses of litigation pursuant to 42  
5 U.S.C. §1988, and any other applicable statutes;  
6           4. Costs of suit necessarily incurred; and  
7           5. Such further relief as the Court deems just or proper.

8

9 Dated: August 15, 2012       LAW FIRM OF JONAS & DRISCOLL, LLP

10           By: \_\_\_\_\_

11             
12           Christopher Driscoll  
13           Attorneys for Plaintiff

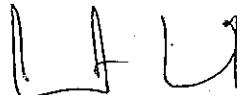
14           **DEMAND FOR JURY TRIAL**

15           Plaintiffs hereby demand and request a trial by jury in this matter.

16

17 Dated: August 15, 2012       LAW FIRM OF JONAS & DRISCOLL, LLP

18           By: \_\_\_\_\_

19             
20           Christopher Driscoll  
21           Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge S. James Otero and the assigned discovery Magistrate Judge is John E. McDermott.

The case number on all documents filed with the Court should read as follows:

**CV12- 7023 SJO (JEMx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

<input checked="" type="checkbox"/> Western Division 312 N. Spring St., Rm. G-8 Los Angeles, CA 90012	<input type="checkbox"/> Southern Division 411 West Fourth St., Rm. 1-053 Santa Ana, CA 92701-4516	<input type="checkbox"/> Eastern Division 3470 Twelfth St., Rm. 134 Riverside, CA 92501
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Failure to file at the proper location will result in your documents being returned to you.

Case 2:12-cv-07023-SJO-JEM Document 1 Filed 08/15/12 Page 12 of 14 Page ID #:14  
Christopher L. Driscoll SBN 101  
Glen T. Jonas SBN 166038  
Jonas & Driscoll LLP  
555 West Fifth Street, 31st Floor  
Los Angeles, CA 90013  
Tel: 213-683-2033 Fax: 213-996-8569

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

COPY

MARIO FENNELL, an individual

CASE NUMBER

v.

PLAINTIFF(S)

CV12-7023-SJO(JEMx)

JOSEPH AMENT, an individual; DIEGO ANDRADE,  
an individual; COUNTY OF LOS ANGELES, a public  
entity; and DOES 1 TO 10

SUMMONS

DEFENDANT(S).

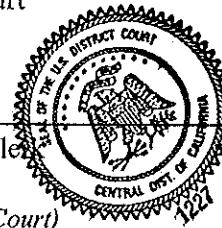
TO: DEFENDANT(S): JOSEPH AMENT, an individual; DIEGO ANDRADE, an individual;  
COUNTY OF LOS ANGELES, a public entity; and DOES 1 TO 10  
A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Christopher L. Driscoll, whose address is 555 West Fifth Street, 31st Floor, Los Angeles, CA 90013. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: August 15, 2012

By: MARILYN DAVIS  
Deputy Clerk



(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

## CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself )  
MARIO FENNELL

## DEFENDANTS

JOSEPH AMENT, an individual; DIEGO ANDRADE, an individual; COUNTY OF LOS ANGELES, a public entity; DOES 1 TO 10

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Christopher Driscoll SBN 167001, Glen T. Jonas SBN 166038  
Jonas & Driscoll LLP Tel: 213-683-2033 Fax: 213-996-8569  
555 West Fifth Street, 31st Floor, Los Angeles, CA 90013

COPY

## II. BASIS OF JURISDICTION (Place an X in one box only.)

1 U.S. Government Plaintiff  3 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant  4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only  
(Place an X in one box for plaintiff and one for defendant.)

Citizen of This State	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF	<input type="checkbox"/> PTF	<input type="checkbox"/> DEF
	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	<input type="checkbox"/> 6	<input type="checkbox"/> 6

Incorporated or Principal Place of Business in this State

Incorporated and Principal Place of Business in Another State

Foreign Nation

## IV. ORIGIN (Place an X in one box only.)

1 Original  2 Removed from  3 Remanded from  4 Reinstated or  5 Transferred from another district (specify):  6 Multi-District Litigation  7 Appeal to District Judge from Magistrate Judge

Proceeding State Court Appellate Court Reopened

V. REQUESTED IN COMPLAINT: JURY DEMAND:  Yes  No (Check 'Yes' only if demanded in complaint.)CLASS ACTION under F.R.C.P. 23:  Yes  No MONEY DEMANDED IN COMPLAINT: \$ 10,000,000

## VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

42 USC 1983

## VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> PERSONAL PROPERTY	<input type="checkbox"/> PETITIONS	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> Habeas Corpus	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 530 General	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> BANKRUPTCY	<input type="checkbox"/> 540 Mandamus/ Other	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/ Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<input type="checkbox"/> REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> IMMIGRATION	<input type="checkbox"/> 446 Naturalization Application	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 447 Other Civil Rights	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Other Immigration Actions	<input type="checkbox"/> 448 Other	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land				<input type="checkbox"/> FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV12-7023

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)  A. Arise from the same or closely related transactions, happenings, or events; or  
 B. Call for determination of the same or substantially related or similar questions of law and fact; or  
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District: <sup>*</sup> Los Angeles	California County outside of this District; State, if other than California; or Foreign Country
--	---

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District: <sup>*</sup> Los Angeles	California County outside of this District; State, if other than California; or Foreign Country
--	---

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District: <sup>*</sup> Los Angeles	California County outside of this District; State, if other than California; or Foreign Country
--	---

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date August 10, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))